

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 18, 2000

DIVISION ONE

B122964 People (Not for Publication)
v.
Palomera; Ranger Insurance Company

The appeal is dismissed.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

B135674 Brenda M. (Not for Publication)
v.
Superior Court, Los Angeles County
(DCFS, r.p.i.)

The petition is denied.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION TWO

B122148 People (Not for Publication)
v.
Amaral et al.

The judgment as to Gutierrez is modified to strike the principal armed enhancement pursuant to section 12022, subdivision (a)(1) on count 12. The judgment is modified as to Amaral and Gutierrez to reflect that the sentences imposed on counts 2 through 7, 9, and 12 are unstayed concurrent terms. In all other respects, the judgments are affirmed.

Boren, P.J.

We concur: Nott, J.
Cooper, J.

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Mallano, J. (Assigned)

B125737 Lectrodryer (Certified for Partial Publication)
v.
SeoulBank

The judgment is affirmed. Each party is to bear its own costs on appeal.

Boren, P.J.

We concur: Nott, J.
Zebrowski, J. (Assigned)

DIVISION TWO (Continued)

[illegible]

The order finding that the allegations of the supplemental petition filed on July 13, 1998, are true and that the previous disposition was ineffective in rehabilitating appellant is affirmed. The order committing appellant to the California Youth Authority is reversed, and the matter is remanded for further proceedings consistent with this opinion.

Boren, P.J.

We concur: Cooper, J.
Mallano, J. (Assigned)

B128627 People
v.
White

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

[illegible]

The judgment is modified to reflect the imposition of a \$200 parole revocation fine, and as modified, the judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment accordingly.

Epstein, Acting P.J.

We concur: Hastings, J.
Dau, J. (Assigned)

January 18, 2000-Continued

DIVISION FOUR (Continued)

B122890 People (Not for Publication)
v.
Rodriguez et al.

The judgments are affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

B128114 People (Not for Publication)
v.
Medina

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

B133889 People (Not for Publication)
v.
Hill

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

January 18, 2000-Continued

DIVISION FOUR (Continued)

B130950 People (Not for Publication)
v.
Perez

For the foregoing reasons, the judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B130238 People (Not for Publication)
v.
Pilgrim

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B130502 People (Not for Publication)
v.
Zaragoza

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Dau, J. (Assigned)

DIVISION FOUR (Continued)

[illegible]

The judgment (order of dismissal) is reversed. The matter is remanded to the superior court for the setting of a new trial date. Costs are awarded to appellant.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B125046 Jones (Not for Publication)
v.
Los Angeles Checker Cab Co.

The order denying relief under section 473 is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Dau, J. (Assigned)

B128332 Gervais (Not for Publication)
v.
Super A Foods

The judgment is reversed with respect to appellant's claims for breach of an oral contract, breach of an implied contract, and breach of the implied covenant, and is affirmed in all other respects. Appellant is awarded his costs.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FOUR (Continued)

B127442 Los Angeles County, D.C.F.S.
 v.
 Warren W.

Filed order denying petition for rehearing.

DIVISION FIVE

B127663 U.S. Growers
 Cold Storage, Inc. (Not for Publication)
 v.
 Controlled Environments Construction, Inc.

The order granting U.S. Growers Cold Storage, Inc.'s motion to disqualify Richard Millar and Millar, Hodges & Bemis as counsel for Controlled Environments Construction, Inc. is affirmed. U.S. Growers Cold Storage, Inc. is to recover its costs on appeal from Controlled Environments Constructions, Inc.

Turner, P.J.

We concur: Grignon, J.
 Armstrong, J.

B129712 People (Not for Publication)
 v.
 Gregory Triana Villegas

The judgment is modified to state that the enhancement alleged under Penal Code section 667.5, subdivision (b) is stricken. The clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this decision, then deliver a copy of the corrected abstract to the Department of Corrections. The judgment as modified is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B132387 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Gloria C.

The orders are affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

B129910 People (Certified for Partial Publication)
 v.
 Royal Porter McHenry

The judgment is modified to award presentence custody credit of 301 days consisting of 201 days of actual custody credit and 100 days of conduct credit and to omit the \$5,000 penalty assessment imposed under Penal Code section 1464. On remand, the clerk of the superior court shall prepare and deliver to the Department of Corrections an amended abstract of judgment consistent with this opinion. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION SIX

B132433 People (Not for Publication)
 v.
 Hamilton

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
 Perren, J.

January 18, 2000-Continued

DIVISION SIX (Continued)

B130413 People (Not for Publication)
v.
Ellis & Klosowicz

The judgments against Ellis and Klosowicz are affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B134107 People (Not for Publication)
v.
Martinez

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B131189 People (Not for Publication)
v.
Salvas

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Abbe, J. (Assigned)

DIVISION SEVEN

B122808 Duffy et al. (Not for Publication)
B130164 v.
 Trustees of the Calif. State University et al.

The judgment dismissing respondents Henry, Fahs, and Zeuschner is affirmed. but the attorney fee and cost award in their favor is reversed. The judgment in favor of University is affirmed as to the harassment claims and the emotional distress claims, reversed as to the discrimination claims, and remanded for further proceedings. Appellants shall recover their costs from University.

Neal, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B120174 Grant (Not for Publication)
 v.
 Cahalane
 Frank et al.

The judgment is affirmed. Respondents the Frank and Grant shall recover their costs on appeal from Cahalane.

Neal, J.

We concur: Lillie, P.J.
 Johnson, J.

B125754 People (Not for Publication)
 v.
 Blanco

The judgment is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.
 Neal, J.